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Attorney Docket No.PC11812ASA I hereby certify that this correspondence is being deposited with the United States Postal Service as Ty to: Hon. Commissioner for Patents, Washington, D.C. 20231 on this 3rd day of June ature of person mailing Erica L. Smith (Typed or printed name of person) IN THE UNITED STATES PATENT AND TRADEMARK OFFICE IN RE APPLICATION OF: Robert L. Dow, et al. **APPLICATION NO.: 10/086,588** Examiner: FILING DATE: February 28, 2002 Group Art Unit: 1614 TITLE: Beta 3 Agonists and Uses Thereof Hon. Commissioner for Patents Washington, D.C. 20231 Sir:

INFORMATION DISCLOSURE STATEMENT PURSUANT TO 37 C.F.R. § 1.97 ET SEQ.

Pursuant to 37 C.F.R. 1.97(b)(3); and 1.98, Applicant's agent wishes to draw the Examiner's attention to PTO-FB-A820 which lists the reference cited by the applicant, a copy of which is enclosed.

The Examiner is respectfully requested to indicate his or her consideration of the foregoing item by initialing, signing, and dating the accompanying PTO-FB-A820 and then returning a copy of the same to the undersigned. This information disclosure statement is being submitted prior to receiving a first office action; therefore, no fee is required. In the event that an office action has been mailed, please charge the appropriate fee to Deposit Account No. 16-1445.

A prompt and favorable response is earnestly solicited.

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TECH CENTER 1600/2900 INFORMATION SCLOSURE CITATION SERIAL NO. 10/086,588 ATTY, DOCKET NO. PC11812AAKM (Use several sheets if necessary) **APPLICANT** Robert L. Dow, et al. **GROUP** 1614 FILING DATE February 28, 2002 **U.S. PATENT DOCUMENTS** DOCUMENT NUMBER CLASS SUBCLASS FILING D EXAMINER INITIAL DATE NAME 2 7 7 4 11/2/99 Dow 514 272 5 9 8 Washburn, et al. 605 5 7 7 6 9 3 7/7/98 514 0 0 6 4 0 7/9/91 Fisher, et al. 514 339 3 5/28/91 Fisher, et al. 5 0 9 5 7 8 514 275 8 4 9 10/23/84 Ainsworth, et al. 424 285 4 4 7 8 Atkinson, et al. 5 11/9/82 424 263 4 3 5 8 4 5 0 10/6/92 Ainsworth, et al. 514 369 5 5 3 2 1 1 1/6/98 5 7 0 5 5 1 5 Fisher, et al. 514 365 8/11/98 Chartrain, et al. 546 335 FOREIGN PATENT DOCUMENTS DOCUMENT NUMBER DATE COUNTRY CLASS SUBCLASS TRANSLA YES 12/2/92 C07C 217/18 ΕP 6 0 5 3 4 9 European 1 wo 9 9 6 5 8 7 7 12/23/99 International C07D 213/80 wo 1/24/02 International C07D 401/12 0 6 OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.) Tesfamariam, B. et al., "β1 - and β2-Adrenoceptor Antagonist Activities of ICI-215001, a Putative β3-Adrenoceptor Agonist", 1 55-58 (1994). Martin, et al., "Effects of Two β3-Adrenoceptor Agonists, SR 58611A and BRL 37344, and of Salbutamol on Cholinergic and NAN Neural Contraction in Guinea-pig Main Bronchi in vitro", 110, 1311-1316 (1993). Giudice, et al., "Inhibition of Rat Colonic Motility and Cardiovascular Effects of New Gut-Specific Beta-Adrenergic Phenylethanolaminotetralines", 44, 1411-1417 1989). Simiand, et al., "Antidepressant Profile In Rodents of SR 58611A, a New Selective Agonist for Atypical β-adrenoceptors", 219, 19 201 1992. Taneja, et al., "Evidence for a Noradrenergic Innervation to « Atypical » Beta Adrenoceptors (or Putative Beta-3 Adrenoceptors) the Ileum of Guinea Pig", 260, 192-200 (1992). Krief, et al., "Tissue Distribution of β3-adrenergic Receptor mRNA in Man", 91 344-349 (1993). **EXAMINER** DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with